

# MEETING MINUTES

**MILPITAS PLANNING COMMISSION**  
**Milpitas City Hall, Council Chambers**  
**455 E. Calaveras Blvd., Milpitas, CA**

**Wednesday, March 22, 2017**

# I. PLEDGE OF ALLEGIANCE

**Chair Mandal** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

## II. ROLL CALL/ SEATING OF ALTERNATE

**Present:** Chair Mandal, Vice Chair Madnawat, Commissioners Sandhu, Ciardella, Maglalang, Mohsin, Chua

**Absent:** Commissioner Morris

**Staff:** Bradley Misner, Katy Wisinski, Michael Fossati, Nina Hawk

### III. PUBLIC FORUM

**Chair Mandal** invited members of the audience to address the Commission and there were no speakers.

#### IV. APPROVAL OF MEETING MINUTES

**Chair Mandal** called for approval of the March 8, 2017 meeting minutes of the Planning Commission.

**Motion** to approve Planning Commission meeting minutes.

Motion/Second: Commissioner Sandhu/Commissioner Ciardella

AYES: 6

NOES: 0

ABSTAIN: 1 Madnawat

## V. ANNOUNCEMENTS

Senior Planner Michael Fossati announced that 1724 Sunnyhills Drive would not be discussed this evening and will be presented to City Council.

Commissioner Ciardella requested a moment of silence in honor of Danny Lau of the Milpitas Unified School District.

## VI. CONFLICT OF INTEREST

**Deputy City Attorney Katy Wisinski** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

Vice Chair Madnawat said he may have a conflict with Item IX-2 and will recuse himself.

## VII. APPROVAL OF AGENDA

**Chair Mandal** asked if staff or Commissioners had changes to the agenda.

Mr. Fossati requested that Item IX-2 be heard before Item IX-1.

**Motion** to approve the March 22, 2017 agenda as amended.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

**VIII. CONSENT  
CALENDAR  
NO ITEMS**

**IX. PUBLIC HEARING**

**IX-1 CAPITAL IMPROVEMENT PROGRAM (CIP) GENERAL PLAN CONFORMITY FINDING:** A City-initiated request to consider a General Plan conformity finding for the proposed 2017-2022 CIP Annual Report in accordance to California Government Code Section 65401.

This item was heard after Item IX-2.

Vice Chair Madnawat returned to the council chambers at 7:35 PM.

Planning Director Brad Misner showed a presentation reviewing the CIP.

Vice Chair Madnawat asked if every project completed by the City has been consistent with the General Plan. Mr. Misner said he believes that previous projects have been determined to be consistent with the General Plan, and there are 19 new CIP projects which he will discuss.

Mr. Misner clarified that there are 21 new CIP projects.

Public Works Director Nina Hawk said there are 106 proposed projects for the 2017 CIP, 85 which have been previously approved and are underway and being carried over. There are 21 new projects and staff would like to get Planning Commission conformance in order to proceed.

Vice Chair Madnawat asked how the public can find more information and Ms. Hawk said the document is available online and City Council will hold two study sessions.

Vice Chair Madnawat asked about the tree replacement program as he has noticed dying trees around the City and hears complaints from residents. Ms. Hawk said the 2017-2022 CIP provides for a new project, an annual tree replacement program, to replace trees and invest back into the urban forest.

Commissioner Chua asked how CIP projects are prioritized. Ms. Hawk said staff works to identify which projects are in greatest need and determines priorities based upon schedule, available funding, community input, and state or federal mandates. Projects are also determined by risk factors, and public health and safety projects are a priority.

Mr. Misner said an example of prioritizing due to community input is the Midtown

Specific Plan Update which was earmarked for FY 2018-19. As staff embarked on the General Plan Update and community meetings, it became clear that the community wants to see a 'heart of the city' and the Midtown Specific Plan Update was moved up in the CIP to the upcoming 2017-18 fiscal year.

Commissioner Mohsin asked about park priorities. Ms. Hawk referred to the list of parks on page 27 of the CIP. The CIP includes several park renovation projects that are planned to be funded in FY17-18. There is a new project, "Sports Field Turf Rehabilitation Program" that will address problems with the sports fields and additional funding is proposed for "Citywide Park Playground Rehabilitation" which will address deficiencies in park play equipment and surfaces.

Commissioner Maglalang said the City hired an architect to design City gateways and asked when they will be constructed. Mr. Misner said there are conceptual plans that will come forward for formal approval by City Council and, with approval of the concept plans, funding will be identified to build the gateway areas which will include landscaping and possible identification signage.

Commissioner Maglalang is concerned that major streets within the City are not friendly to walkers due to gaps in sidewalks and some streets, such as portions of Yosemite Drive and South Milpitas Boulevard, have no sidewalks at all. Ms. Hawk said the City has an existing project to address existing sidewalk repairs; however, closing gaps and constructing new sections of sidewalks are not within the project's scope of work. Staff will review the City sidewalk network and master plans to review where improvement may be needed.

Commissioner Ciardella questioned the administration and inspection costs associated with City buildings roofing repairs. Ms. Hawk said improvements are the bulk of the money but CIP projects many times include soft costs which are costs associated with delivering projects. These include design, administration or staff time, and inspection or permitting costs. Roofing repairs are greatly needed at the Sports Center, Community Center kitchen and the Fleet Maintenance building.

Commissioner Ciardella said the median strip on Calaveras looks terrible and asked if there is money in the budget for new lawn or plants. Ms. Hawk said there is some existing money and staff is trying to rehabilitate landscaping and irrigation systems, but there are a lot of infrastructure needs. She added that the area between 680 and 880 is not the city's jurisdictional area.

Commissioner Ciardella asked about the Fire Apparatus Replacement Plan, as he understood that one of the private development projects was going to fund a small vehicle that could access the parking garage areas. Ms. Hawk said developer contributions will help fund some of the costs. The Fire Department submitted this project request and the replacement vehicles under this project are partially funded through developer funding in FY 18-19 and 19-20.

Commissioner Ciardella said he is happy to see the City converting street lights to LED and asked how many lights have already been converted and how many lights in total the City maintains. The City owns approximately 4,600 street lights and 1,000 LED conversion fixtures were installed last fiscal year. An additional 1,500 are proposed to be installed in FY 17-18.

Commissioner Ciardella asked when the City will see a return on its investment to install Automated Meters. Ms. Hawk said this project was identified by City Council

through the water augmentation study and is part of the \$25 million bond the City anticipates taking out for the water infrastructure. She is unsure of the cost benefit, but the purpose of the project is to install new automated meters to replace the old meters for high-use water users. With the new meters the community can monitor and understand how much water they are using, and the meters provide real-time usage so staff can identify if there are leaks in the system.

Commissioner Ciardella believes the Sports Center Skate Park project should be postponed and the money spent on other priorities.

Vice Chair Madnawat asked if all projects completed by the City are supposed to be compliant with the General Plan and Mr. Misner said that if a project is part of the CIP it is required to be in compliance with the General Plan.

Vice Chair Madnawat questioned why the 2018-19 Finance System Upgrade project is being funded through the CIP and not the General Fund. There was discussion regarding why some projects are funded through the CIP and others through department budgets and the general fund and Ms. Hawk explained that projects with a high dollar amount are funded through the CIP to ensure they are contracted correctly under state law and also to avoid large fluctuations in the City budget.

Commissioner Chua had questions regarding the proposal of water bonds to fund several projects and asked if the use of bonds requires a vote by the residents. The CIP document proposes the use of both water and sanitary sewer bonds as a financing mechanism for several projects. The City's decision to provide funding through the use of bonds does not require a vote by the community; however, it would be presented to the City Council for approval.

Commissioner Ciardella noted that Calaveras Road is closed due to a landslide and asked where the funds will come from to repair it. Ms. Hawk said this item is not included in the CIP at this time but will be added as the project needs to be advanced and the repairs need to be completed. Staff is working with a geologist and designers to develop a repair plan for the roadway and then will have an idea of the cost and schedule to reopen the roadway.

Commissioner Sandhu commented that Kennedy Drive at Old Evans Road currently has a two-way stop and he believes it should have a four-way stop or traffic signal. Ms. Hawk said staff is already reviewing the location and looking for a viable solution.

Commissioner Maglalang said he has observed that most bus stops do not have covered shelters and a new project should be added to install shelters at all bus stops. Mr. Misner said the Valley Transportation Authority (VTA) and the Alameda-Contra Costa Transportation District (AC Transit) own and operate the bus stops within Milpitas but staff will reach out to these agencies to see what can be done.

Chair Mandal opened the public hearing and there were no speakers.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Maglalang

AYES: 7

NOES: 0

**Motion** to Adopt Resolution No. 17-010 finding the 2017-2022 Capital Improvement Program in conformance with the General Plan.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

**IX-2**

**ZONING AMENDMENT/CONDITIONAL USE PERMIT - GREATER LOVE CHURCH – 529 S. MAIN STREET – P-ST17-0001; P-ZA17-0001; P-UP16-0007:** A request for a Specific Plan and Zoning Text Amendment to remove the distance restriction for places of assembly within all MXD zones. A Conditional Use Permit to allow a place of assembly (Greater Love Church) within an MXD zoning district located at 529 S. Main Street, as per City Code Section XI-10-6.02.

This item was heard before Item IX-1.

Vice Chair Madnawat left the council chambers at 7:06 PM

Project Planner Michael Fossati showed a presentation and discussed the permit

Commissioner Chua asked how the 1,000 foot distance requirement was designated and the purpose for the requirement. Mr. Fossati said the intent of the Midtown Specific Plan was to create a lively space and mix of uses, and Mr. Misner said the 1,000 foot regulation is a common tool in multiple zoning ordinances aimed at trying to keep a myriad of different types of uses in one area.

Bob Livengood is a Milpitas resident representing the Greater Love Church. He has been working on this project for a year and said staff has done an excellent job working with the church and ensuring they meet all zoning codes and parking requirements. Services will be held inside the building so there should be no noise issues and he believes the church will be a good neighbor.

Commissioner Maglalang asked what days church services will be held and the number of attendees expected. Nathan Barry said services will be held on Sunday mornings with an average of 75 attendees. He said parking can be accommodated without street parking.

Chair Mandal would like the church to encourage carpooling and Mr. Barry said the church has a bus available.

Chair Mandal opened the public hearing and there were no speakers.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Maglalang

AYES: 6

NOES: 0

**Motion** to Adopt Resolution No. 17-008 recommending the City Council adopt Specific Plan No. ST17-0001, Zoning Text Amendment ZA17-0001, and Conditional Use Permit No. UP16-0007, subject to the attached Conditions of Approval.

Motion/Second: Commissioner Sandhu/Commissioner Chua

AYES: 6

NOES: 0

**X. NEW BUSINESS**

**NO ITEMS**

**XI. ADJOURNMENT** The meeting was adjourned at 9:10 PM.

**Motion** to adjourn to the next meeting.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

*Meeting Minutes submitted by  
Planning Secretary Elia Escobar*